

POTPOURRI

Department of Environmental Quality Office of Environmental Assessment

1999-2001 State Implementation Plan (SIP) General Revisions (0209Pot1)

Under the authority of the Environmental Quality Act, R.S. 30:2051 et seq., the secretary gives notice of proposed general revisions to the air quality State Implementation Plan (SIP). The revisions include amendments to various air quality rules in LAC 33:III.Chapters 2, 5, 6, 11, 19, and 21, that were previously promulgated beginning January 1, 1999 through December 31, 2001, and which were not previously included in other revisions to the SIP.

A public hearing will be held on October 25, 2002, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, Louisiana. Interested persons are invited to attend and submit oral comments. Attendees should report directly to the hearing location for DEQ visitor registration, instead of the security desk in the DEQ Headquarters building. Should individuals with a disability need an accommodation in order to participate, contact Patsy Deaville, Regulation Development Section, Box 82178, Baton Rouge, LA 70884-2178 or (225) 765-0399.

All interested persons are invited to submit written comments on the proposed general revisions to the SIP. Comments must be submitted no later than 4:30 p.m. on November 1, 2002. Comments should be mailed to Sandra Hilton, Office of Environmental Assessment, Plan Development Section, P.O. Box 82178, Baton Rouge, Louisiana 70884-2178 or faxed to (225) 765-0617. Copies of this document can be purchased by contacting the Records Management Section at (225) 765-0843. A check or money order is required in advance for each copy of the document.

A copy of the general revisions to the SIP may be viewed Monday through Friday, from 8:00 a.m. to 4:30 p.m., at the following DEQ locations: 7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA 70810; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 201 Evans Road, Building 4, Suite 420, New Orleans, LA 70123; 111 New Center Drive, Lafayette, LA 70508, or on the Internet at <http://www.deq.state.la.us/planning/regs/index.htm>.

James H. Brent, Ph.D.
Assistant Secretary

TABLE OF CONTENTS

1999-2001 GENERAL REVISION TO THE STATE IMPLEMENTATION PLAN

INTRODUCTION	1
PURPOSE	1
AUTHORITY	1
SUMMARY OF RULE REVISIONS AQ145.....	2
SUMMARY OF RULE REVISIONS PROMULGATED 1999-2001	3

(Editor's Note: The appendices are not included in this electronic file.)

INTRODUCTION

PURPOSE

This State Implementation Plan (SIP) submittal incorporates revisions made to Louisiana Administrative Code (LAC) 33:III.Chapters 2, 5, 6, 11,19, and 21 during 1999-2001. In agreement with 105 grant objectives, the Louisiana Department of Environmental Quality (LDEQ) is incorporating revisions made to regulations included in the Louisiana SIP. All of the revised regulations incorporate changes made during 1999-2001, which have not yet been sent to EPA for approval and inclusion in Louisiana's SIP.

AUTHORITY

Revisions or adoptions to the Air Quality rules and regulations are made in accordance with Louisiana R. S. 30:2019. The SIP revision is made in accordance with 40 *Code of Federal Regulations* (CFR) Part 51 Appendix V and policy established by EPA Region 6.

Summary of Rule Revision AQ 145

LAC 33:III	Louisiana Register Citation	Description
6121-6131 renumbered as 2156-2160	December 1996 LR 22:1212 AQ 145	Repealing and Renumbering

AQ 145 is being resubmitted as part of this General SIP revision to correct the inadvertent inclusion of certain portions of that rulemaking in the submission of the Louisiana SIP.

RULES PROMULGATED DURING 1999 – 2001 SORTED BY DATE PROMULATED

LAC 33:III	Louisiana Register Citation	Description	Comments
2117	February 1999 LR 25:258 AQ 182	Exemption of Methyl Acetate as a VOC	Methyl acetate will be added to the list of compounds that are exempt from the requirements of LAC 33:III.Chapter 21. As of May 11, 1998, EPA will no longer give SIP (State Implementation Plan) credit for controls on methyl acetate emissions. This compound has a negligible contribution to tropospheric ozone formation and has potential for use in paints, inks, and adhesives. The basis and rationale for this proposed rule are to mirror the federal regulations.
1105	April 1999 LR 25:656 AQ 183	Control of Emissions of Smoke	The limitation on the shade or appearance of emissions will be changed from Number 1 on the Ringlemann Chart to 20 percent opacity. The regulation mentions Chapter 15, Table 4, which references 40 CFR Part 60 Method 9 and Method 22 for measurement of visible emissions. This rule applies to flares and other similar devices used for burning in connection with pressure valve releases for control over process upsets. The basis and rationale for this rule are to clarify the existing language.
2153	May 1999 LR 25:850 AQ184	Revisions to Industrial Wastewater Rule	This hearing will also be for a revision to the State Implementation Plan (SIP) to incorporate this proposed rule. The required control efficiency for a biotreatment unit is increased from 85 percent to 90 percent. Methods are specified to demonstrate control efficiency and proper operation of the biotreatment unit. Junction boxes that have a pump or significant fluctuations in liquid level are now required to be controlled to 90 percent VOC removal. The phrase "point of generation" is replaced with "point of determination." Revisions to this rule are required so that it may be approved by EPA as part of the VOC RACT State Implementation Plan. The basis and rationale for this proposed rule are to increase the stringency of the rule for EPA approval.
2103.A and B	May 1999 LR 25:852 AQ 186	Requirements for VOC Storage Vessels	The wording in LAC 33:III.2103.A and B will be changed from "true vapor pressure" to "maximum true vapor pressure." This will correspond with federal NSPS and NESHAP regulations for volatile organic compound storage vessels. The requirement in LAC 33:III.2113.A.4 that the facility submit the housekeeping plan for the reduction or prevention of volatile organic compound emissions as part of the permit application will be omitted. The plan shall be kept on site, if practical, and shall be submitted

RULES PROMULGATED DURING 1999 – 2001 SORTED BY DATE PROMULATED

LAC 33:III	Louisiana Register Citation	Description	Comments
			to the Air Quality Division upon request. Federal regulations do not require that a housekeeping plan for volatile organic compounds be part of the permit application. It is adequate that the plan be onsite and available to the Air Quality Division upon request. The basis and rationale for this proposed rule are to mirror federal regulations.
2113.A.4	May 1999 LR 25:852 AQ 186	Requirements for VOC Storage Vessels	The wording in LAC 33:III.2103.A and B will be changed from "true vapor pressure" to "maximum true vapor pressure." This will correspond with federal NSPS and NESHAP regulations for volatile organic compound storage vessels. The requirement in LAC 33:III.2113.A.4 that the facility submit the housekeeping plan for the reduction or prevention of volatile organic compound emissions as part of the permit application will be omitted. The plan shall be kept on site, if practical, and shall be submitted to the Air Quality Division upon request. Federal regulations do not require that a housekeeping plan for volatile organic compounds be part of the permit application. It is adequate that the plan be onsite and available to the Air Quality Division upon request. The basis and rationale for this proposed rule are to mirror federal regulations.
2123	July 1999 LR 25:1240 AQ 189	Organic Solvents	This proposed rule will clarify the wording of LAC 33:III.2123.B.1. LAC 33:III.2123.D.6 provides exemptions on emissions of VOCs for surface coating facilities in attainment and nonattainment areas of Louisiana and refers to LAC 33:III.2123.C.1-10 to determine emission limitations. This citation is corrected to include Paragraph 11, also. The basis and rationale for this proposed rule are to make a grammatical clarification and correct a reference oversight.
603 -607	September 1999 LR 25:1622 AQ 190	Emission Reduction Credits Banking	This proposed rule accommodates ozone nonattainment classifications resulting from the new NAAQS. It also corrects a typographical error for the date on which emission credits begin their 10-year life and clarifies the use for emission credits having a 10-year life.
613	September 1999 LR 25:1622 AQ 190	Emission Reduction Credits Banking	This proposed rule accommodates ozone nonattainment classifications resulting from the new NAAQS. It also corrects a typographical error for the date on which emission credits begin their 10-year life and clarifies the

RULES PROMULGATED DURING 1999 – 2001 SORTED BY DATE PROMULATED

LAC 33:III	Louisiana Register Citation	Description	Comments
			use for emission credits having a 10-year life.
615	September 1999 LR 25:1622 AQ 190	Emission Reduction Credits Banking	This proposed rule accommodates ozone nonattainment classifications resulting from the new NAAQS. It also corrects a typographical error for the date on which emission credits begin their 10-year life and clarifies the use for emission credits having a 10-year life.
621	September 1999 LR 25:1622 AQ 190	Emission Reduction Credits Banking	This proposed rule accommodates ozone nonattainment classifications resulting from the new NAAQS. It also corrects a typographical error for the date on which emission credits begin their 10-year life and clarifies the use for emission credits having a 10-year life.
2143	October 1999 LR 25:1796 AQ 192	Graphic Arts (Printing) by Rotogravure and Flexographic Processes	This proposed rule will make a grammatical correction and will clarify the applicability exemption in the regulation regarding the control of volatile organic compounds for the rotogravure and flexographic processes. The basis and rationale for this proposed rule are to make a grammatical clarification and clarification of applicability.
207	February 2000 LR 26:267 AQ 195	Air Fee Revision	The rule change includes wording changes for clarification.
209	February 2000 LR 26:267 AQ 195	Air Fee Revision	The rule change includes wording changes for clarification.
211	February 2000 LR 26:267 AQ 195	Air Fee Revision	The rule change includes wording changes for clarification.
223	February 2000 LR 26:267 AQ 195	Air Fee Revision	This proposed rule incorporates fees for industry categories not previously in the Fee Schedule, but for which fees have previously been established under the negotiated fee procedures of the fee regulations.
223	March 2000 LR 26:485 AQ 197	Clean Fuel Fleet Program	The federal Clean Air Act Amendments of 1990 (CAAA) require implementation of a clean-fuel fleet program (CFFP) in ozone nonattainment areas classified as serious or above. Accordingly, the department submitted a State Implementation Plan (SIP) revision for a CFFP in October 1994, and the SIP was approved by the EPA on October

RULES PROMULGATED DURING 1999 – 2001 SORTED BY DATE PROMULATED

LAC 33:III	Louisiana Register Citation	Description	Comments
			23, 1995. State regulations governing the CFFP are codified in LAC 33:III.1951-1973. The department submitted a SIP revision to EPA for a substitute plan, which was approved by direct final rule and became effective on September 17, 1999. As a result, the department is repealing the state CFFP (LAC 33:III.1951-1973) and applicable fee requirements in LAC 33:III.223. The basis and rationale for this proposed rule are to take advantage of the CAAA opt-out provisions for a clean-fuel fleet program that has been shown to provide only marginal emission reduction benefits in the Baton Rouge ozone nonattainment area.
1951-1973	March 2000 LR 26:485 AQ 197	Clean Fuel Fleet Program	The federal Clean Air Act Amendments of 1990 (CAAA) require implementation of a clean-fuel fleet program (CFFP) in ozone nonattainment areas classified as serious or above. Accordingly, the department submitted a State Implementation Plan (SIP) revision for a CFFP in October 1994, and the SIP was approved by the EPA on October 23, 1995. State regulations governing the CFFP are codified in LAC 33:III.1951-1973. The department submitted a SIP revision to EPA for a substitute plan, which was approved by direct final rule and became effective on September 17, 1999. As a result, the department is repealing the state CFFP (LAC 33:III.1951-1973) and applicable fee requirements in LAC 33:III.223. The basis and rationale for this proposed rule are to take advantage of the CAAA opt-out provisions for a clean-fuel fleet program that has been shown to provide only marginal emission reduction benefits in the Baton Rouge ozone nonattainment area.
613	March 2000 LR 26:486 AQ 199	Emission Reduction Credits Banking	This proposed rule changes submittal dates for banking credits.
615	March 2000 LR 26:486 AQ 199	Emission Reduction Credits Banking	This proposed rule changes submittal dates for banking credits.
2121	July 2000 LR 26:1433	Fugitive Emission Controls	The proposed rule removes the word "pipeline" and removes a redundant phrase to provide clarification to the regulations for monitoring

RULES PROMULGATED DURING 1999 – 2001 SORTED BY DATE PROMULATED

LAC 33:III	Louisiana Register Citation	Description	Comments
	AQ 201		requirements and exemptions to monitoring requirements for petroleum refineries, SOCFI, MTBE, and polymer manufacturing industry for fugitive emission control of organic compounds. The basis and rationale for the proposed rule are to provide clarifications to the existing regulations.
223	August 2000 LR 26:1607 AQ 200	Emission Control from Motor Vehicles and Related Fees	The existing regulations at LAC 33:III.1901-1935 and the appendix at the end of Chapter 19 are being repealed, and the fees at LAC 33:III.223 are being amended, because the enhanced Motor Vehicle Inspection/Maintenance (I/M) Program prescribed by this rule was never implemented due to lack of reauthorization by the Louisiana Legislature in 1997. The Legislature, by Act 576 of the 1999 Regular Session, did authorize a low enhanced, vehicle I/M program for the control and abatement of motor vehicle emissions in this 5-parish; Baton Rouge ozone Nonattainment area. The low enhanced vehicle (I/M) program is governed by the Department of Public Safety and Corrections, Office of State Police (DPS), with DEQ providing oversight, data collection support, and liaison activities. In accordance with R.S. 32:1306(C), DPS promulgated a final rule on December 20, 1999, necessary to implement the requirements of the low enhanced vehicle emissions I/M program.
1901 - 1935	August 2000 LR 26:1607 AQ 200	Emission Control from Motor Vehicles and Related Fees	The existing regulations at LAC 33:III.1901-1935 and the appendix at the end of Chapter 19 are being repealed, and the fees at LAC 33:III.223 are being amended, because the enhanced Motor Vehicle Inspection/Maintenance (I/M) Program prescribed by this rule was never implemented due to lack of reauthorization by the Louisiana Legislature in 1997. The Legislature, by Act 576 of the 1999 Regular Session, did authorize a low enhanced, vehicle I/M program for the control and abatement of motor vehicle emissions in this 5-parish; Baton Rouge ozone Nonattainment area. The low enhanced vehicle (I/M) program will be governed by the Department of Public Safety and Corrections, Office of State Police (DPS), with DEQ providing oversight, data collection support, and liaison activities. In accordance with R.S. 32:1306(C), DPS promulgated a final rule on December 20, 1999, necessary to implement the requirements of the low enhanced vehicle emissions I/M program.

RULES PROMULGATED DURING 1999 – 2001 SORTED BY DATE PROMULATED

LAC 33:III	Louisiana Register Citation	Description	Comments
2131	February 2001 LAC 27:193 AQ 209	Filling of Gasoline Storage Vessels - Exemptions	The proposed rule will correct an omission in LAC 33:III.2131.D.3 to add St. Mary Parish to the list of parishes exempted from compliance with the requirements of LAC 33:III.2131.A for certain facilities. St. Mary Parish was inadvertently omitted in the original rulemaking. The basis and rationale for this proposed rule are to add St. Mary Parish to LAC 33:III.2131.D.3, where it was omitted in error from the list of parishes exempted from the requirements in LAC 33:III.2131.A
2156	August 2001 LR 27:1224 AQ 213	Incorporation by Reference, 40 CFR Part 51, Appendix M	The department is incorporating by reference 40 CFR Part 51, Appendix M to alleviate word processing/printing problems that have occurred as a result of the numerous graphics, which appear in the text of the regulations. This proposed rule will simply remove the federal language from LAC 33:III.Chapter 21, Subchapter N and replace it with a reference to the federal regulations in 40 CFR Part 51, Appendix M. Any existing non-federal language has been retained and renumbered. Additional sections of Chapter 21 have been added to the final rule to correct citations referencing text being deleted and incorporated by reference.
2157 -2160	August 2001 LR 27:1224 AQ 213	Incorporation by Reference, 40 CFR Part 51, Appendix M	The department is incorporating by reference 40 CFR Part 51, Appendix M to alleviate word processing/printing problems that have occurred as a result of the numerous graphics, which appear in the text of the regulations. This proposed rule will simply remove the federal language from LAC 33:III.Chapter 21, Subchapter N and replace it with a reference to the federal regulations in 40 CFR Part 51, Appendix M. Any existing non-federal language has been retained and renumbered. Additional sections of Chapter 21 have been added to the final rule to correct citations referencing text being deleted and incorporated by reference.
509	December 2001 LR 27.2234 AQ 218	Permit Procedures	This proposed rule removes Calcasieu and Pointe Coupee from the list of ozone nonattainment parishes in 509.B.2